

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Criminal Action No. 05-57-JJF
	:	
WILLIE ANDERSON,	:	
	:	
Defendant.	:	

**DEFENDANT'S MOTION FOR
CONTINUANCE OF BRIEFING ORDER**

AND NOW comes the Defendant, Willie Anderson, by his attorney Edson A. Bostic, Federal Public Defender, and files this Motion for Continuance of Briefing Order.

1. On January 12, 2006, Willie Anderson received a sentence of 102 months imprisonment for possession with intent to distribute five or more grams of cocaine base, in violation of 21 U.S.C. § 841(b)(1)(B).

2. On December 19, 2007, Mr. Anderson filed a *pro se* motion for sentence reduction under the retroactive amendment to the crack cocaine sentencing guideline.

3. Pursuant to Chief Judge Sleet's Administrative Order of February 25, 2008, the Federal Public Defender was appointed to represent all prisoners who might be eligible for the retroactive sentencing reduction.

4. The Federal Defender today entered an appearance on behalf of Willie Anderson.

5. Acting on Mr. Anderson's pending *pro se* filing, the district court directed the government to file a responsive brief by February 29, 2008, and permitted defendant to file a reply brief on or before March 7, 2008.

6. In previous cases, the United States Attorney's Office and the Federal Public Defender's Office have accepted the assistance of the United States Probation Office in

determining the applicability of the two-level crack reduction, and in determining the appropriate revised guideline range.

7. It is believed that a continuance of the current briefing schedule will permit necessary investigation by the Probation Office and by Counsel, and that a continuance may facilitate stipulations regarding the applicability of the two-level reduction and the calculation of the revised guideline sentencing range.

WHEREFORE, it is requested that the current briefing order be vacated, and that the Federal Public Defender be directed to file an amended motion for sentencing reduction on or before Monday, April 14, 2008.¹

Respectfully submitted,

_____/s/_____
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Dated: February 29, 2008

¹ Upon a preliminary review of Mr. Anderson's situation, it appears that he is not immediately available for release. Therefore, permitting this extension of the time to file an amended motion would not cause any prejudice to him.